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10/723,582	11/26/2003	Brett Watson-Luke	24920/09011	7611	
7590 11/01/2007 Nelson Mullins Riley & Scarborough, L.L.P.			EXAMINER		
1320 Main Street			MYINT, DENNIS Y		
Columbia, SC 2	29201 .		ART UNIT	PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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1	,	Application No.	Applicant(s)		
		10/723,582	WATSON-LUKE E	WATSON-LUKE ET AL.	
Office Action Summary		Examiner	Art Unit		
		Dennis Myint	2162		
The MAILING DATE of t Period for Reply	his communication app	pears on the cover sheet v	vith the correspondence ad	dress	
A SHORTENED STATUTORY WHICHEVER IS LONGER, FI - Extensions of time may be available undurafter SIX (6) MONTHS from the mailing - If NO period for reply is specified above - Failure to reply within the set or extende Any reply received by the Office later the earned patent term adjustment. See 37	ROM THE MAILING DA der the provisions of 37 CFR 1.13 date of this communication. , the maximum statutory period vertically the design of the period for reply will, by statute an three months after the mailing	ATE OF THIS COMMUN 36(a). In no event, however, may a will apply and will expire SIX (6) MO , cause the application to become a	ICATION. The reply be timely filed ENTHS from the mailing date of this case ABANDONED (35 U.S.C. § 133).		
Status					
1) Responsive to commun	ication(s) filed on 26 N	ovember 2003.			
2a) This action is FINAL .	· · —	action is non-final.			
3) Since this application is	in condition for allowar		tters, prosecution as to the D. 11, 453 O.G. 213.	e merits is	
Disposition of Claims					
4) ⊠ Claim(s) <u>1-9</u> is/are pend 4a) Of the above claim(s 5) □ Claim(s) is/are a 6) ⊠ Claim(s) <u>1-9</u> is/are reject 7) □ Claim(s) is/are o 8) □ Claim(s) are sub	s) is/are withdraw llowed. cted. bjected to.				
Application Papers					
• • • • •	26 November 2006 is/a that any objection to the et(s) including the correct	re: a) ☐ accepted or b) drawing(s) be held in abey tion is required if the drawir	ance. See 37 CFR 1.85(a). g(s) is objected to. See 37 C	FR 1.121(d).	
Priority under 35 U.S.C. § 119				٠.	
12) Acknowledgment is made a) All b) Some * c) Certified copies of the certifi	None of: If the priority document If the priority document Itified copies of the priorith International Burea	s have been received. Is have been received in Irity documents have bee u (PCT Rule 17.2(a)).	Application No In received in this National	Stage	
Attachment(s)					
1) Notice of References Cited (PTO-8			Summary (PTO-413)		
 2) Notice of Draftsperson's Patent Dra 3) Information Disclosure Statement(s Paper No(s)/Mail Date <u>See Continuo</u> 	awing Review (PTO-948) s) (PTO/SB/08)		o(s)/Mail Date f Informal Patent Application 		

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :05/15/2006, 07/31/2006, 12/08/2006, 05/08/2007, 06/22/2007, 06/22/2007, and 07/26/2007.

DETAILED ACTION

1. Claims 1-9 are pending in this application.

Priority

2. Applicant's domestic priority under 35 U.S.C. § 119(e) is acknowledged.

Information Disclosure Statement

3. The references cited in the information disclosure statements (IDS), submitted on 03/09/2006, 05/15/2006, 07/31/2006, 12/08/2006, 05/08/2007, 06/22/2007, 06/22/2007, and 07/26/2007, have been considered by the examiner.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "the configuration server is a slave with respect to a second subset of the configuration itesm" as recited in claims 1, 2, and 4 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the

brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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7. Claims 1, 2, 3, 4, 5, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beadles et al., (hereinafter "Beadles", U.S. Patent Application Publication Number 2003/0154404) in view of Kortright (U.S. Patent Application Publication Number 2003/0229686).

As per claim 1, Beadles is directed to a method and teaches the limitations:

"storing by a configuration server a configuration" (Beadles, Abstract, i.e., the management system is multi-layered, modular and stores device configuration data in non-device specific format, which are subsequently translated to device-specific format by lower layers of the management system; Beadles, Paragraph 0022, i.e., stores device configuration data; Beadles, Figure 2A, i.e., System 10; Beadles Paragraph 0047, i.e., data store elements; Beadles, Paragraph 0048, i.e., System 10 collects the user data so identified and stores them in an XML file), "the configuration including a plurality of configuration items" (Beadles, Paragraph 0022, i.e., stores device configuration data: Beadles, Figure 2A, i.e., System 10; Beadles Paragraph 0047, i.e., data store elements) "wherein the configuration server is a master with respect to a first subset of the configuration items" (Beadles, Paragraph 0048, i.e., a user first supplies information regarding his/her network devices such as the devices' types, model numbers, IP addresses, base configuration data, as well other administrative information (e.g., a contact person at the user's company) to system 10 in one of the following two ways; Beadles Paragraph 0023, i.e., the directory includes a number of objects which describes attributes of network

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policy; "A number of objects" as disclosed by Beadles maps to the first subset of the configuration items of the claimed invention; Beadles, Paragraph 0049, i.e., Subsequently, an associated device plug-in residing in device plug-in layer 600 of system 10 receives the XML data--stored in the policy store--via the policy engine, translates the XML data to device-specific configuration data and, thereafter, transfers the device-specific configuration data to its associated network device thereby to configure the device and deploy the policies. Note that System 10 of Beadles is master with respect to network configuration data items) and (a slave with respect to a second subset of the configuration items);

"receiving a change in at least one of the configuration items in the first subset" (Beadles, Paragraph 0025, i.e., a policy generator receives **notification** of a policy adoption/change from an event manager. The policy generator extracts the policy rules, and divides them according to type. The rules are then sent to an appropriate policy service agent, along with an XML template and a server address for the hierarchical policy directory);

"updating the configuration in accordance with the change in at least one of the configuration items in the first subset" (Beadles, Paragraph 0025, i.e., Beadles, Paragraph 0025, i.e., a policy generator receives notification of a policy adoption/change from an event manager. The policy generator extracts the policy rules, and divides them according to type. The rules are then sent to an appropriate policy service agent, along with an XML template and a server address for the hierarchical policy directory; Also see Paragraph 0086 of Beadles);

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"sending a notification of the change via a messaging system" (Beadles, Paragraph 0025 Paragraph 0025, i.e., a policy generator receives **notification of** a policy adoption/**change** from an event manager);

"translating the configuration into an OSS component specific configuration" (Beadles Paragraph 0049, i.e., *translates the XML data to device specific configuration data;* See also, Paragraph 0048 of Beadles);

"and sending the OSS component specific configuration to an OSS component" (Beadles, Paragraph 0049, i.e., thereafter, transfers the device-specific configuration data to its associated network device thereby to configure the device and deploy the policies).

Beadles does not explicitly teach the limitation: "a slave with respect to a second subset of the configuration items".

On the other hand, Kortright the limitation:

"a slave with respect to a second subset of the configuration items"

(Kortright, Abstract, The present invention is a a system and method that automates the change management process in a real-time using a two-way communications model that permits a central database to affect changes on all or some network management applications/systems in the field, while also allowing those same field systems to affect the central database thereby reducing the time required for updating and monitoring a system when device changes take place; Kortright, Paragraph 0026, i.e., a change management engine synchronizes the configuration of distributed network management applications, as well as synchronize device status from those same distributed

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network management applications with a central database; Kortright, Paragraph 0027, i.e., affects the central database).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the method of Beadles, wherein configuration server is a master, to combine with the method of Kortright, wherein configuration server could be a salve with respect to configuration data of network devices, so that the resultant method would teach that a configuration server is a master with respect to a first subset of the configuration items and a slave with respect to a second subset of the configuration items. One would have been motivated to do so in order to provide a method that automates the change management process in real-time using a two-way communications model that permits a central database to affect changes on all or some network management applications/systems in the field, while also allowing those same field systems to affect the central database (Kortright, Paragraph 0015).

As per claim 2, Beadles in view of Kortright teaches the limitations:

"storing by a configuration server a configuration" (Beadles, Abstract, i.e., the management system is multi-layered, modular and stores device configuration data in non-device specific format, which are subsequently translated to device-specific format by lower layers of the management system; Beadles, Paragraph 0022, i.e., stores device configuration data; Beadles, Figure 2A, i.e., System 10; Beadles Paragraph 0047, i.e., data store elements; Beadles, Paragraph 0048, i.e., System 10 collects the user data so identified and stores

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them in an XML file), "the configuration including a plurality of configuration items" (Beadles, Paragraph 0022, i.e., stores device configuration data; Beadles, Figure 2A, i.e., System 10; Beadles Paragraph 0047, i.e., data store **elements**) "wherein the configuration server is a master with respect to a first subset of the configuration items" (Beadles, Paragraph 0048, i.e., *a user first* supplies information regarding his/her network devices such as the devices' types, model numbers, IP addresses, base configuration data, as well other administrative information (e.g., a contact person at the user's company) to system 10 in one of the following two ways; Beadles Paragraph 0023, i.e., the directory includes a number of objects which describes attributes of network policy: "A number of objects" as disclosed by Beadles maps to the first subset of the configuration items of the claimed invention; Beadles, Paragraph 0049, i.e., Subsequently, an associated device plug-in residing in device plug-in layer 600 of system 10 receives the XML data--stored in the policy store--via the policy engine, translates the XML data to device-specific configuration data and. thereafter, transfers the device-specific configuration data to its associated network device thereby to configure the device and deploy the policies. Note that System 10 of Beadles is master with respect to network configuration data items) and "a slave with respect to a second subset of the configuration items" (Kortright, Abstract, The present invention is a a system and method that automates the change management process in a real-time using a two-way communications model that permits a central database to affect changes on all or some network management applications/systems in the field, while also

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allowing those same field systems to affect the central database thereby reducing the time required for updating and monitoring a system when device changes take place; Kortright, Paragraph 0026, i.e., a change management engine synchronizes the configuration of distributed network management applications, as well as synchronize device status from those same distributed network management applications with a central database);

"receiving from an OSS component a change in an OSS component specific configuration" (Kortright, Paragraph 0022, i.e., automatically detect changes in devices on the network and immediately update all network management system applications associated with changed devices; Kortright, Paragraph 0026, i.e., a change management engine synchronizes the configuration of distributed network management applications, as well as synchronize device status from those same distributed network management applications with a central database);

"translating the OSS component specific configuration into at least one of the configuration items in the second subset" (Kortright, Figure 6, i.e., *visionary agent binary update, visionary agent configuration file, visionary DSM binary update, visionary DSM config-file prefix update;* Kortright, Paragraph 0088, i.e., One of the primary functions of the autocontroller is to update files for network management applications in the field with files created by the core engine.

After being generated by the core engine, the freshly created configuration files, binary files, modules and the like are transferred to the appropriate

application server; Kortright, Paragraph 0087, i.e., The autocontroller application is generic to any specific network management application. Each application governed by the autocontroller is unique and requires customized code for to permit the autocontroller to perform its assigned management tasks. By way of illustration, a module permits the autocontroller to stop, started, restart, manipulate, and direct an application. Because the command structure differs among applications, a unique module customized to an application is used; Kortright, Parragraph 0092, i.e., each file listed in the incoming directory (see FIG. 5) has its filename parsed to determine whether it is a core engine transfer file. Once the filename is parsed and identified, specific action is taken depending upon the file being transferred to the autocontroller. The <ID> field ties each transfer file back to a specific application instance in the meta-data configuration file, determining the application type and location to which the file applies, as well as other details);

and "updating the configuration in accordance with the change in at least one of the configuration items in the second subset" (Kortright, Paragraph 0088, i.e., One of the primary functions of the autocontroller is **to update** files for network management applications in the field with files created by the core engine).

As per claim 3, Beadles in view of Kortright teaches the limitation:

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"further comprising: sending a notification of the change via a messaging system" (Beadles, Paragraph 0025, i.e., a policy generator receives **notification** of a policy adoption/change from an event manager).

As per claim 4, Beadles in view of Kortright teaches the limitations:

"storing by a configuration server a configuration" (Beadles, Abstract, i.e., the management system is multi-layered, modular and stores device configuration data in non-device specific format, which are subsequently translated to device-specific format by lower layers of the management system; Beadles, Paragraph 0022, i.e., stores device configuration data; Beadles, Figure 2A, i.e., System 10; Beadles Paragraph 0047, i.e., data store elements; Beadles, Paragraph 0048, i.e., System 10 collects the user data so identified and stores them in an XML file), "the configuration including a plurality of configuration items" (Beadles, Paragraph 0022, i.e., stores device configuration data; Beadles, Figure 2A, i.e., System 10; Beadles Paragraph 0047, i.e., data store elements) "wherein the configuration server is a master with respect to a first subset of the configuration items" (Beadles, Paragraph 0048, i.e., a user first supplies information regarding his/her network devices such as the devices' types, model numbers, IP addresses, base configuration data, as well other administrative information (e.g., a contact person at the user's company) to system 10 in one of the following two ways; Beadles Paragraph 0023, i.e., the directory includes a number of objects which describes attributes of network policy: "A number of objects" as disclosed by Beadles maps to the first subset of

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the configuration items of the claimed invention; Beadles, Paragraph 0049, i.e., Subsequently, an associated device plug-in residing in device plug-in layer 600 of system 10 receives the XML data--stored in the policy store--via the policy engine, translates the XML data to device-specific configuration data and, thereafter, transfers the device-specific configuration data to its associated network device thereby to configure the device and deploy the policies. Note that System 10 of Beadles is master with respect to network configuration data items) and "a slave with respect to a second subset of the configuration items" (Kortright, Abstract, The present invention is a a system and method that automates the change management process in a real-time using a two-way communications model that permits a central database to affect changes on all or some network management applications/systems in the field, while also allowing those same field systems to affect the central database thereby reducing the time required for updating and monitoring a system when device changes take place: Kortright, Paragraph 0026, i.e., a change management engine synchronizes the configuration of distributed network management applications, as well as synchronize device status from those same distributed network management applications with a central database);

"receiving a change in at least one of the configuration items in the first subset" (Beadles, Paragraph 0025, i.e., a policy generator receives **notification** of a policy adoption/change from an event manager. The policy generator extracts the policy rules, and divides them according to type. The rules are then

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sent to an appropriate policy service agent, along with an XML template and a server address for the hierarchical policy directory);

"updating the configuration in accordance with the change in at least one of the configuration items in the first subset" (Beadles, Paragraph 0025, i.e., Beadles, Paragraph 0025, i.e., a policy generator receives notification of a policy adoption/change from an event manager. The policy generator extracts the policy rules, and divides them according to type. The rules are then sent to an appropriate policy service agent, along with an XML template and a server address for the hierarchical policy directory; Also see Paragraph 0086 of Beadles);

"sending a notification of the change via a messaging system" (Beadles, Paragraph 0025 Paragraph 0025, i.e., a policy generator receives **notification of** a policy adoption/**change** from an event manager);

"translating the configuration into an OSS component specific configuration" (Beadles Paragraph 0049, i.e., *translates the XML data to device specific configuration data:* See also, Paragraph 0048 of Beadles):

"and sending the OSS component specific configuration to an OSS component" (Beadles, Paragraph 0049, i.e., thereafter, transfers the device-specific configuration data to its associated network device thereby to configure the device and deploy the policies).

"receiving from an OSS component a change in an OSS component specific configuration" (Kortright, Paragraph 0022, i.e., automatically detect

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changes in devices on the network and immediately update all network management system applications associated with changed devices; Kortright, Paragraph 0026, i.e., a change management engine synchronizes the configuration of distributed network management applications, as well as synchronize device status from those same distributed network management applications with a central database);

"translating the OSS component specific configuration into at least one of the configuration items in the second subset" (Kortright, Figure 6, i.e., visionary agent binary update, visionary agent configuration file, visionary DSM binary update, visionary **DSM config-file prefix update**; Kortright, Paragraph 0088, i.e., One of the primary functions of the autocontroller is to update files for network management applications in the field with files created by the core engine. After being generated by the core engine, the freshly created configuration files, binary files, modules and the like are transferred to the appropriate application server; Kortright, Paragraph 0087, i.e., The autocontroller application is generic to any specific network management application. Each application governed by the autocontroller is unique and requires customized code for to permit the autocontroller to perform its assigned management tasks. By way of illustration, a module permits the autocontroller to stop, started, restart, manipulate, and direct an application. Because the command structure differs among applications, a unique module customized to an application is used; Kortright, Parragraph 0092, i.e., each file listed in the incoming directory (see FIG. 5) has its filename parsed to determine whether it is a core engine transfer

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file. Once the filename is parsed and identified, specific action is taken depending upon the file being transferred to the autocontroller. The <ID> field ties each transfer file back to a specific application instance in the meta-data configuration file, determining the application type and location to which the file applies, as well as other details);

and "updating the configuration in accordance with the change in at least one of the configuration items in the second subset" (Kortright, Paragraph 0088, i.e., One of the primary functions of the autocontroller is **to update** files for network management applications in the field with files created by the core engine).

Claim 5 is rejected on the same basis as claim 3.

As per claim 6, Beadles in view of Kortright the limitations:

"A computer system comprising one more component programs operable on the system that manage configuration of telecommunications operations software over bidirectional interfaces that allows communication between components" (Kortright, Abstract, *The present invention is a a system and method that automates the change management process in a real-time using a two-way communications model that permits a central database to affect changes on all or some network management applications/systems in the field, while also allowing those same field systems to affect the central database*

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thereby reducing the time required for updating and monitoring a system when device changes take place), "wherein individual components are master to some configuration settings" (Beadles, Figure 2A and Paragraphs 0022, 0023, 0047-0049, as applied to claim 1 above) and "slave to other configuration settings" (Kortright, Abstract and Paragraphs 0026-0027 as applied to claim 1 above), "further wherein, with respect to a specific configuration setting, a master sends updates over the bidirectional interface to slave components according to a received configuration modification" (Beadles, Paragraph 0049, i.e., thereafter, transfers the device-specific configuration data to its associated network device thereby to configure the device and deploy the policies; in view of Abstract of Kortright, i.e., bidirectional interface).

As per claim 8, Beadles in view of Kortright the limitations:

"A computer system comprising one more component programs operable on the system that manage configuration of telecommunications operations software over bidirectional interfaces that allows communication between components" (Kortright, Abstract, *The present invention is a a system and method that automates the change management process in a real-time using a two-way communications model that permits a central database to affect changes on all or some network management applications/systems in the field, while also allowing those same field systems to affect the central database thereby reducing the time required for updating and monitoring a system when device changes take place), "wherein individual components are master to some*

configuration settings" (Kortright, Abstract and Paragraphs 0026-0027 as applied to claim 1 above) and "slave to other configuration settings" (Beadles, Figure 2A and Paragraphs 0022, 0023, 0047-0049, as applied to claim 1 above), "further wherein, with respect to a specific configuration setting, a slave updates its configuration in accordance with a configuration modification received from a master over the bidirectional interface" (Beadles, Paragraph 0049, i.e., thereafter, transfers the device-specific configuration data to its associated network device thereby to configure the device and deploy the policies; in view of Abstract of Kortright, i.e., bidirectional interface; Also see pertinent parts of the Kortright reference).

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8. Claims 7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beadles in view of Kortright and further in view of Surasinghe (U.S. Patent Application Publication Number 2004/0194069).

As per claim 9, Beadles in view of Kortright does not explicitly teach the limitation: "wherein the components include provisioning software, customer support software, and billing software".

On the other hand, Surasinghe teaches the limitation:

"wherein the components include provisioning software (Surasinghe Paragraph 0010-0011, i.e., application software), customer support software (Surasinghe Paragraph 0006, telecommunication customers and discount rates; Surasinghe, Paragraph 0008, i.e., trading of particular type of securities), and

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billing software (Surasinghe, Paragraph 0004, i.e., billing, customer billing; Paragraph 0006, i.e., billing)".

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify the system of Beadles in view of Kortright to add the components which include provisioning software, customer support software, and billing software, as taught by Surasinghe, so that, in the resultant system, the components would include provisioning software, customer support software, and billing software. One would have been motivated to do so in order to provide business logic rules to an application software (Surasinghe, Paragraph 0011).

Claim 9 is rejected on the same basis as claim 7.

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Contact Information

 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Myint whose telephone number is
 (571) 272-5629. The examiner can normally be reached on 8:30AM-5:30PM
 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-5629.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dennis Myint Examiner

AU-2162

JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100